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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,181	04/17/2000	YAARIT SILVERSTONE	AND1P582	1182

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,181

Applicant(s)

SILVERSTONE ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) g.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 10/11/2002 with respect to claims 19-36 have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 1-18 have been cancelled.
3. Claims 19-36 have been added.
4. Claims 19-36 are pending in this application.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. Claims 19-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,950,173 issued to Perkowski et al. (herein Perkowski).

With respect to claim 1, Perkowski discloses providing a database (see fig. 1 and fig. 2A1, a central UPC/URL database, item 9, col. 11, lines 35-40) including a request for proposal mechanism and a plurality of service provider data structures and a plurality of manufacturer data structures (see fig. 2, item 10, telecommunications network for Internet service Providers, col. 11, lines 45-55; and Internet product information servers, col. 11, lines 60-65), wherein each service provider data structure includes a description of service provided by a particular service provider, and wherein each manufacturer data structure includes a description of offerings of a particular manufacturer (see UPN data structure: col. 9, lines 25-48 and lines 60-67; also col. 11, lines 60-65; col. 12, lines 15-20); identifying a particular data structure based on a request for proposal from a user utilizing the request for proposal mechanism, wherein the user may be a service provider or a manufacturer (col. 4, lines 22-31; internet shopper project); and affording network-based project management services to the user based on the request for proposal and the identified data structure, wherein affording project management services includes managing assets in a network-based supply chain, including optimizing use of service provider assets and manufacturer assets and providing maintenance and service of service provider assets and manufacturer assets (supply chain management systems: col. 11, lines 18-32 and projects; col. 3, lines 62-67 and col. 4, lines 1-22).

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Perkowski does not clearly disclose, "network-based project management services"; however, Perkowski discloses Internet shopper with projects for goods and services on the Internet to be called Universal product and service Code Project (col. 4, lines 1-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Perkowski such as UPC/URL database, Internet service provides, Internet shopper project, Internet Product Information servers and manufactures so as to obtain a method for an Internet- based product information database for each commercially available consumer-product and manufacturer (col. 5, lines 1-8). Also an Internet-based product information provides a manufacturer-defined consumer-product directory that can be used by various the retail supply and demand chain (col. 5, lines 22-27); develops of electronic marketplace (col. 5, lines 45-48); and uses e-commerce transactions (col. 23, lines 35-39 and col. 24, lines 5-15) in the network or Internet based for supply chain and manufacturer environment.

With respect to claim 20, Perkowski discloses further including the step of tracking a status of manufacturing processes performed by the identified service provider (see figs 1, 2A1 and 2A2: col. 11, lines 34-65).

With respect to claim 21-22, Perkowski discloses further including the step of allowing the user to inquiry service engineers and service chemists (col. 19, lines 35-65).

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With respect to claims 23-24, Perkowski discloses wherein the database is accessed utilizing a network (see fig. 2A1, col. 11, lines 34-65) and wherein the network is the Internet (col. 11, lines 34-65).

Claim 25 is essentially the same as claim 19 except that it is directed to a computer program embodied on a computer readable medium rather than a method (see fig. 1 and fig. 2A1, a central UPC/URL database, item 9, col. 11, lines 35-40; see fig. 2, item 10, telecommunications network for Internet service Providers, col. 11, lines 45-55; and Internet product information servers, col. 11, lines 60-65; see UPN data structure: col. 9, lines 25-48 and lines 60-67; also col. 11, lines 60-65; col. 12, lines 15-20; col. 4, lines 22-31; internet shopper project; supply chain management systems: col. 11, lines 18-32 and projects; col. 3, lines 62-67 and col. 4, lines 1-22), and is rejected for the same reason as applied to the claim 19 hereinabove.

Claim 26 is essentially the same as claim 20 except that it is directed to a computer program embodied on a computer readable medium rather than a method (see figs 1, 2A1 and 2A2: col. 11, lines 34-65), and is rejected for the same reason as applied to the claim 20 hereinabove.

Claims 27-28 are essentially the same as claims 21-22 except that they are directed to a computer program embodied on a computer readable medium rather than a method (col. 19, lines 35-65), and are rejected for the same reason as applied to the claims 21-22 hereinabove.

Claims 29-30 are essentially the same as claims 23-24 except that it is directed to a computer program embodied on a computer readable medium rather than a

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method (see fig. 2A1, col. 11, lines 34-65), and are rejected for the same reason as applied to the claims 23-24 hereinabove.

Claim 31 is essentially the same as claim 19 except that it is directed to a system rather than a method (see fig. 1 and fig. 2A1, a central UPC/URL database, item 9, col. 11, lines 35-40; see fig. 2, item 10, telecommunications network for Internet service Providers, col. 11, lines 45-55; and Internet product information servers, col. 11, lines 60-65; see UPN data structure: col. 9, lines 25-48 and lines 60-67; also col. 11, lines 60-65; col. 12, lines 15-20; col. 4, lines 22-31; internet shopper project; supply chain management systems: col. 11, lines 18-32 and projects; col. 3, lines 62-67 and col. 4, lines 1-22), and is rejected for the same reason as applied to the claim 19 hereinabove.

Claim 32 is essentially the same as claim 20 except that it is directed to a system rather than a method (see figs 1, 2A1 and 2A2: col. 11, lines 34-65), and is rejected for the same reason as applied to the claim 20 hereinabove

Claims 33-34 are essentially the same as claims 21-22 except that they are directed to a system rather than a method (col. 19, lines 35-65), and are rejected for the same reason as applied to the claims 21-22 hereinabove.

Claims 35-36 are essentially the same as claims 23-24 except that they are directed to a system rather than a method (see fig. 2A1, col. 11, lines 34-65), and are rejected for the same reason as applied to the claims 23-24 hereinabove

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

9. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527 or via E-Mail: **ANH.LY@USPTO.GOV**. The examiner can be reached on Monday – Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to: (703) 746-7238 (after Final Communication)


or: (703) 746-7239 (for formal communications intended for entry)

or: (703) 746-7240 (for informal or draft communications, or Customer Service Center, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AL 
Dec. 6th, 2002.


HOSAIN T. ALAM
PRIMARY EXAMINER